

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA**

In Re:

Louisiana Pellets, Inc., et al.,
Debtors.

Craig Jalbert,
Chapter 11 Liquidating Trustee,
Plaintiff.

v.

Southern Strategy Group
Of Louisiana, LLC
Defendant.

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Case No. 16-80162

Chapter 11

(Jointly Administered)

Judge Kolwe

Adv. Proc. No. 18-05006

APPELLATANT'S DESIGNATION OF ITEMS
TO BE INCLUDED IN THE RECORD

NOW INTO COURT, through undersigned counsel, Southern Strategy Group of Louisiana, LLC ("SSG"), **Appellant**, through Notice of Appeal filed on September 18, 2019 and to pursuant to Federal Rule of Bankruptcy Procedure 8009, hereby designates the following items to be included in the record on appeal:

1. United States Bankruptcy Court for the Western District of Louisiana Adversary Proceeding 18-05006 Docket Report. (No Docket Number).
2. Complaint; filed February 16, 2018. (Docket Number 1).
3. Answer to Complaint; filed March 24, 2018. (Docket Number 5).
4. Motion for Summary Judgment, filed by Catherine E. Lasky; filed September 28, 2018. (Docket Number 13).
5. Exhibits to Motion for Summary Judgment (Doc. No. 13); filed September 28, 2018. (Docket Number 14).
6. Support Brief/Memorandum to Motion for Summary Judgment (Doc. No. 13); filed September 28, 2018. (Docket Number 15).
7. Statement of Uncontested Material Facts to Motion for Summary Judgment (Doc. No. 13); filed September 28, 2018. (Docket Number 16).

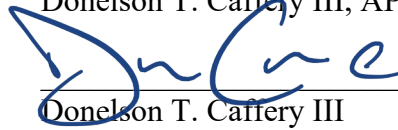
8. Opposition Brief/Memorandum to Motion for Summary Judgment (Doc. No. 13), filed by Don Caffery; with Attachments: 1. Disputed Material Facts, 2. Statement of Material Facts, 3. Declaration of R. Caffery, and 4. Exhibits; filed December 12, 2018. (Docket Number 26).
9. Statement of Disputed Material Facts; filed December 12, 2018. (Docket Number 27).
10. Statement of Uncontested Material Facts; with Attachments: 1. Exhibit B, 2. Exhibit C, 3. Exhibit D, 4. Exhibit E, 5. Exhibit F, and 6. Exhibit G; filed December 12, 2018. (Docket Number 28).
11. Affidavit of Russell Caffery; filed December 12, 2018. (Docket Number 29).
12. Order Denying Motion for Summary Judgment (Doc. No. 13); filed January 15, 2019. (Docket Number 30).
13. Pre-Trial Memorandum, filed by Catherine E. Lasky; with Attachments: 1. Exhibit A, 2. Exhibit B, 3. Exhibit C, 4. Exhibit D, 5. Exhibit E, and 6. Exhibit F; filed July 16, 2019. (Docket Number 33).
14. Pre-Trial Brief, filed by Don Caffery; with Attachments: 1. Exhibit 1, 2. Exhibit 2, 3. Exhibit 3, 4. Exhibit 4, 5. Exhibit 5, 6. Exhibit 6, 7. Exhibit 7; and 8. Exhibit 8; filed July 16, 2019. (Docket Number 34).
15. Exhibit Record with Attached Exhibits; filed July 26, 2019. (Docket Number 35).
16. Ruling Following Trial; filed August 27, 2019. (Docket Number 36).
17. Judgment For Plaintiff and Against Defendant; filed September 4, 2019. (Docket Number 38).
18. Notice of Appeal; filed September 18, 2019. (Docket Number 40).

The Court Reporter is requested to transcribe the proceedings from that oral argument on July 26, 2019 before the Honorable John W. Kolwe, United States Bankruptcy Judge, in the above-styled and numbered adversary proceeding.

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Respectfully submitted,

Donelson T. Caffery III, APLC



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*Counsel for Appellant,
Southern Strategy Group
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CERTIFICATE OF SERVICE

I hereby certify that in accordance with the Western District of Louisiana's electronic filing procedures, a copy of the foregoing has been electronically filed. A Notice of Electronic Filing will be served by the Court to all counsel of record who have consented to email notification and electronic service.

Thus done on this 2nd day of October 2019.



Donelson T. Caffery III, APLC

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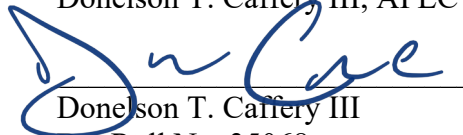
APPELLATANT'S STATEMENT OF ISSUES ON APPEAL

NOW INTO COURT, through undersigned counsel, Southern Strategy Group of Louisiana, LLC ("SSG"), **Appellant**, through Notice of Appeal filed on September 18, 2019 and to pursuant to Federal Rule of Bankruptcy Procedure 8009, hereby raises the following issues to be presented on appeal:

1. Whether the United States Bankruptcy Court for the Western District of Louisiana erred in determining that the Trustee established as a matter of fact and law that the December 9, 2015 payment was an avoidable transfer under 11 U.S.C. § 547(b).
2. Whether the United States Bankruptcy Court for the Western District of Louisiana erred in determining that the December 9, 2015 payment made by German Pellets Louisiana, LLC to Southern Strategy Group of Louisiana, LLC was not made in the ordinary course of business under either the subjective or objective prongs of 11 U.S.C. § 547(c)(2).
3. Whether the United States Bankruptcy Court for the Western District of Louisiana erred in determining that Southern Strategy Group of Louisiana, LLC failed to show that it provided new value to German Pellets Louisiana, LLC after the December 9, 2015 payment, pursuant to 11 U.S.C. § 547(c)(1) or (4).

Respectfully submitted,

Donelson T. Caffery III, APLC




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*Counsel for Appellant,
Southern Strategy Group
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Donelson T. Caffery III, APLC